

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

JOSHUA SISCO

PLAINTIFF

V.

NO. 3:21-CV-59-DMB-RP

**UNIVERSITY OF MISSISSIPPI, and
GLENN BOYCE**

DEFENDANTS

ORDER

On March 19, 2021, Joshua Sisco filed a complaint in the United States District Court for the Northern District of Mississippi against the University of Mississippi and its Chancellor Glenn Boyce, in his official capacity. Doc. #1. The complaint asserts claims for disability discrimination under Section 504 of the Rehabilitation Act and under the Americans with Disabilities Act. *Id.* at 7–8. On June 7, 2021, the defendants filed a motion to dismiss Sisco’s claims. Doc. #10.

Two weeks later, Sisco filed as of right an amended complaint, Doc. #14, and a motion to deny the defendants’ motion to dismiss as moot based on the filing of the amended complaint, Doc. #15. On July 6, 2021, the defendants filed a motion to dismiss the amended complaint, Doc. #16, and a response to Sisco’s motion to deny the first motion to dismiss, Doc. #18. The defendants’ response states that they “do not object to the Court considering the merits only of their Motion to Dismiss Plaintiff’s First Amended Complaint, but do not agree that Plaintiff has cured the insufficiencies in his pleadings or otherwise addressed Defendants’ arguments for dismissal by amending his complaint.” *Id.* at 2.

Upon consideration, Sisco’s motion [15] is **GRANTED as unopposed**. The defendants’ motion to dismiss the original complaint [10] is **DENIED as moot**. The Court will consider the merits of the defendants’ motion to dismiss the amended complaint.

SO ORDERED, this 9th day of July, 2021.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE